IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 9050 of 1997

For Approval and Signature:

Hon'ble MISS JUSTICE R.M. DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HARIDAS NARANBHAI PATEL

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 9050 of 1997

MR ND NANAATI for Petitioner

MS HARSHA DEVANI AGP for Respondent No. 1,3-4

MR HS MUNSHAW for Respondent No. 2

Respondent No. 5 :: Served

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 27/03/2003

ORAL JUDGEMENT

The petitioner before this Court is the purchaser

of the land - Final Plot No. 909 admeasuring 691 sq.mtrs. of village Raiya, Taluka & District Rajkot from one Dhirajlal R. Soni. It is the grievance of the petitioner that though the said purchase by the petitioner is legal and valid, and though, the petitioner has developed the said land after taking due permission from the concerned authorities, the respondent no. 2-Rajkot Urban Development Authority [hereinafter referred to as, "the RUDA"] has refused to grant Building Utilization Permission under the relevant Regulations.

On the facts and in the circumstances of the case, the respondent no. 2-RUDA is directed to consider the application for Building Utilization Permission made by the petitioner and to decide the same within eight weeks from the date of the receipt of the writ of this Court. The petition is allowed to the above extent. Rule is made absolute accordingly. There shall be no order as to costs.

[Miss R.M Doshit, J.]

Prakash*